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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/721,158	11/21/2000	Russell A. Houser	441742000411	6811	
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MORRISON & FOERSTER LLP			EXAMINER		
755 PAGE MILL RD PALO ALTO, CA 94304-1018			BUI, VY Q		
			ART UNIT	PAPER NUMBER	
	*		3731	<u></u>	
	:		DATE MAILED: 09/30/2003	9	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Office Action Summary - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Exeminor of time my be sevaled under the provisions of 17 CR 1.13(ii), in an event, however, may a reply be timely filed Exeminor of time my be sevaled under the provisions of 17 CR 1.13(iii), in an event, however, may a reply be timely filed Exeminor of time my be sevaled under the provisions of 17 CR 1.13(iii), in an event, however, may a reply be timely filed Exeminor of timely is specified above is less in an intiny (30), days, a reply be timely filed If the period for reply a specified shows he maintain statutory period vial applied with experts (MONTH) from the mailing date of this communication. If the period for reply a specified shows he maintain statutory period vial applied with experts (MONTH) from the mailing date of this communication. If the period for reply a specified shows he maintain gates of this communication, even if simply filed, may reduce any searce parent an adjustment. See 37 CFR 1.70(iii). Status Responsive to communication(s) filed on £1 September 2002. 20 This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under £x parte Quaylo, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) £31 is/are pending in the application. 4) Of the above claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are are pending in the application. Application Papers 9) The specification is objected to by the Examiner. Application Papers 10) The drawing(s) filed on is/are vial accepted or big objected to by the Examiner. Application Papers 10) The proposed drawing correction filed on is/are vial accepted or big objected to by the Examiner. 11	,,,				_	ΛK		
Examiner			Applicati	on No.	Applicant(s)	· 11.		
The MAILING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provision of 3 °C FR 1.136(a). In no event, however, may a reply be timely filled after SIX (i) MONTHS from the mailing date of this communication. If NO puriod for reply is specified above, the maximum statutory period will apply and with expire 3 (ii) MONTHS from the mailing date of this communication. Failur to reply within the set of extended period for reply will. by a statutory inclination of the communication. Failur to reply will be set of extended period for reply will. by a statutory inclination and set the mailing date of this communication, even if timely field, may reduce any searched patent time and set period to reply will. by a statutory period will be a statutory period will be part and the period of this communication, even if timely field, may reduce any searched patent time and set period to reply will. by a statutory and the period patent time and period to reply will be a statutory period will be part of this communication. Any poly recent by the Birch later than the new months after the mailing date of this communication. **Status** 1)② Responsive to communication(s) filled on **11 September 2002** 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle**, 1935 C.D. 11, 453 O.G. 213. Disposition of Claim(s) **1.51 is/are period to **1.52 is/are rejected.** **10 Claim(s) **1.52 is/are rejected.** **10 Claim(s) **1.52 is/are allowed.** **10 Claim(s) **1.52 is/are allowed.*			09/721,1	58	HOUSER ET AL.			
The MAILNG DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.19(a). In no event, however, may a reply be timely filled after SX (6) MONTHS from the making date of this communication. If the period or party specified door is label than the communication. If the period or party specified door is label than the communication. If the period or party specified door is label than the making date of this communication. If the period or party verified the period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office label than three manning date of this communication, even if timely filled, may reduce any example particular term adjustment. See 37 CFR 1.78(to). Status 1 ∑ Responsive to communication(s) filled on 11 September 2002. 2a ∑ This action is FINAL. 2b ∑ This action is FINAL. 2b ∑ This action is FINAL. 2b ∑ This action is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)∑ Claim(s) 1.31 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5)∑ Claim(s) is/are a subject to restriction and/or election requirement. Application Papers 9)☐ The specification is objected to by the Examiner. Application Papers 9)☐ The proposed drawing correction filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12)☐ The coath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 and 120 13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)☐ All b)☐ Some * c)☐ No	Office Action Summary		Examine	<u> </u>	Art Unit			
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Attachment(s)								
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6) Other:	2) Notice	e of Draftsperson's Patent Drawing Review (P		5) Notice of				

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DETAILED ACTION

Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention:

Group I. Plunger:

Species 1: Fig. 19a.

Species 2: Fig. 25.

Species 3: Fig. 26.

Species 4: Fig. 27.

Group II. Fitting:

Species 1: Fig. 3.

Species 2: Fig. 5.

Species 3: Fig. 8a.

Species 4: Fig. 8b.

Species 5: Fig. 8c.

Species 6: Fig. 8d.

Species 7: Fig. 15e-15f.

Species 8: Fig. 38a-38c.

Species 9: Fig. 40f.

Species 10: Fig. 41a.

Species 11: Fig. 41g.

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Group III. Everting tool:

Species 1: Fig. 9.

Species 2: Fig. 10.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species in each group for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, at least claim 19 is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

A telephone call was made to the applicant's attorney on 9/29/2003 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the

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application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vy Q. Buj whose telephone number is 703-306-3420. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J Milano can be reached on 703-308-2496. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0858.

VQB

9/29/2003.